



POLICY STATEMENT
MANUAL OF POLICIES AND PROCEDURES
INDIANA DEPARTMENT OF CORRECTION

Effective Date	Page No.	No of Pgs.
06/16/04	1	3
Policy No. 02-01-101		

Title

OFFENDER PERSONAL PROPERTY

Text

PURPOSE:

This policy establishes the types and maximum amounts of personal property that an offender may bring into and maintain while incarcerated in the Department of Correction. Additionally, this policy establishes guidelines for the accounting and disposition of offender personal property.

POLICY STATEMENT:

Offenders shall be permitted to obtain and possess certain personal property while incarcerated in the Department. The personal property that an offender is allowed to possess must be used in an approved manner and must not constitute a threat to the safety, good order and security of the facility. The Department shall establish lists, based upon the type of facility and its security level, that indicate the types and maximum limits on the personal property that an offender may keep in his/her possession. These lists shall take into consideration the needs of the offenders and the objectives of the facilities. Each facility shall limit possession of certain types of personal property based upon health, fire and safety issues and the promotion and maintenance of good order and administrative manageability. All personal property retained by the Department shall be inventoried, receipted, stored and returned to the offender within a reasonable time upon the offender's release from the Department.

An offender's personal property may be searched and if it is determined to be contraband or prohibited property seized. Any seizure of personal property shall be done in such a manner as to avoid unnecessary force, embarrassment or indignity to the offender. An offender may appeal the seizure of personal property through the Offender Grievance Program. Additionally, an offender may file a Tort Claim, in accordance with the Indiana Code, if property is lost, damaged or destroyed by Department staff.

Offenders shall not be permitted to operate any private business, either for profit or non-profit, while incarcerated in the Department without written authorization from the Commissioner. Such authorization shall be given only after considering the general welfare and safety of all parties that might be impacted by the private business.

The Department shall establish procedures for the storage and disposition of personal property belonging to offenders who have died while in the custody of the Department or who have escaped from custody. The disposition of the personal property of deceased or escaped offenders shall be in compliance with state statute.

This policy is applicable to all Department facilities.

Text



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06/16/04	2	3
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LEGAL REFERENCES:

IC 4-24-6-2	Establishes the Inmate Trust Fund.
IC 4-24-6-5	Establishes the disposition of funds belonging to deceased or escaped offenders.
IC 11-8-2-5(a)(8)	Authorizes the Commissioner to develop policies, programs and services for committed offenders, for administration of facilities...
IC 11-8-2-5(a)(9)	Authorizes the Commissioner to administer, according to law, the money or property retained by the Department for committed persons.
IC 11-8-6-1	Prohibits a committed person from conducting a private business without the express consent of the Department.
IC 11-10-12-1(a)(1)	Provides that the Department shall return a committed offender's property or money to the offender within a reasonable amount of time when the committed offender is released on parole or discharged.
IC 11-11-2-1 <i>et seq.</i>	Defines "contraband" and "prohibited property" and requires the Department to define what is prohibited property and authorizes the Department to conduct reasonable searches.
IC 11-11-3-7	Authorizes the Department to open all incoming and outgoing packages to inspect for and remove funds, contraband or prohibited property.

RELATED POLICIES:

00-02-301	Offender Grievance Process
02-01-102	Offender Visitation
02-01-103	Offender Correspondence
02-03-101	Searches and Shakedowns

Text



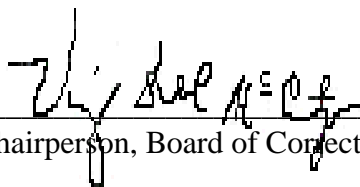
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02-04-101 The Disciplinary Code for Adult Offenders
03-02-101 The Juvenile Code of Conduct
04-01-104 Inmate Trust Fund



Chairperson, Board of Correction

6/16/04
Date